ARTICLES of IMPEACHMENT OF HIGH TREASON AND

Other high Crimes, Misdemeanours and Offenses, against THOMAS *Earl of* DANBY *Lord High* TREASURER *of* ENGLAND.

As they were delivered in to the House of Lords in the Name of the Commons of England, *by sir* Henry Capel, December 23. 1678.

Together with a Letter of the Lord Treasurers *to Mr.* Montague, *late Embassador in* France.

I.

THat he hath Traiterously encroacht to himself Regall Power, by treating in matters of Peace and War with Forreign Princes and Embassadors, and giving Instructions to his Majesties Embassadors abroad, without communicating the same to the Secretaries of State and the rest of his Majesties Counsel, against the express Declaration of his Majesty and the Parliament, intending to defeat and overthrow the Provision that has been deliberately made by his Majesty and his Parliament for the Safety and Preservation of his Majesties Kingdoms and Dominions.

II.

That he hath Traiterously endeavoured to subvert the well established Form of Government in this Kingdom, and in stead thereof to introduce an Arbitrary and Tyrannical way of Government, and the better to effect his purpose he did design the raising of an Army, upon pretence of a War against the *French* King, and to continue a Standing Army in this kingdom; And an Army being raised and no War ensueing, an Act of Parliament past to pay and disband the same, and a great sum of mony being granted for that end, he did continue the Army contrary to the said Act, and misimployed the mony given for the said disbanding, to the continuance thereof, and Issued out of his Majesties Revenues divers great sums of mony for the said purpose, and willfuly neglected to take Security of the Pay-masters of the Army, as the said Act required, whereby the said Law is eluded, and the Army is yet continued to the great danger and un-necessary charge of his Majesty and the whole Kingdom.

III.

That he Traiterously intending and designing to Alienate the hearts and affections of his Majesties good Subjects from his Royal Person and Government, and to hinder the meeting of Parliaments, and to deprive his Sacred Majesty of their safe Advice and wholsom Counsel, and thereby to alter the Constitution of the Government of this Kingdom did propose and negotiate a Peace for the *French* King, upon tearms disadvantagious to the Interest of his Majesty and this Kingdom, for the doing whereof he did endeavour to procure a great sum of mony from the *French* King for enabling him to maintaine and carry on his traiterous designs and purposes, to the hazard of his Majesties Person and Government.

IV.

That he is Popishly affected, and hath Traiterously concealed (after he had notice) the horrid and bloody Plot and Conspiracy, contrived by Papists, against his Majesties person and Government; and hath suppresst the Evidences and reproachfully discountenanced the Kings Witnesses in the Discovery of it, in favour of Popery, immediately tending to the distruction of the Kings sacred Person and the Subvertion of the Protestant Religion.

V.

That he hath wasted the Kings Treasure, by Issuing out of his Majesties Exchequer, and several Branches of his Revenues for unnecessary Pensions and secret Services, to the value of 135602 l. within two years, and that he hath wholly diverted out of the known Method and Government of the Exchequer one whole Branch of his Majesties Revenue to private Uses, without any account to be made to his Majesty in his Exchequer, contrary to an express Act of Parliament, which granted the same, and he hath removed two of his Majesties Commissioners of that part of the Revenue, for refusing to consent to his uuwarranted actings therein, and to advance mony upon that branch of the Revenue for private uses.

VI.

That he hath by Indirect means procured from his Majesty to himself divers considrable Guifts and Grants of Inheritance, of the Antient Revenues of the Crown, even contrary to Acts of Parliament.

For which matters and things the Knights, Cittizens and Burgeſſes of the Commons in Parliament, do in the name of themſelves, and of all the Commons of *England*, Impeach the ſaid *Thomas* Earl of *Danby*, Lord High Treaſurer of *England*, of HIGH TREASON, and other high Crimes, Miſdemeanors and Offences, in the ſaid Articles contained: And the ſaid Commons by Proteſtations, ſaving to themſelves the liberty of exhibiting at any time hereafter any other Accuſation or Impeachment againſt the ſaid Earl, and alſo of Replying to the Anſwers which the ſaid *Thomas* Earl of *Danby* ſhall make to the Premiſes, or any of them, or any Impeachment that ſhall be by them Exhibited, as the Cauſe (according to Courſe and Proceedings of Parliament) ſhall require; Do pray that the ſaid *Thomas* Earl of *Danby*, may be put to Anſwer all and every the Premiſes, that ſuch Proceedings, Tryals, Examinations and Judgments may be upon them, and every of them had and uſed, as ſhall be agreeable to Law and Juſtice, and that he may be ſequeſtered from Parliament, and forthwith committed to ſafe Cuſtody.

The Lord TREASURERS *Letter to Mr.* Montague, *the* KINGS *late Embaſſadour in* France, March *25th.* 1678.

My Lord,

SInce my writing to you by Mr. *Brisburne*, the Reſolves have been altered as to the ſending you Inſtructions (as yet) for the propoſing any thing to the *French* King, for the Particulars which will be conſented to on the part of the Confederates (and of which this is a Coppy) will be communicated to you by Mr. Secretary *Coventry*, but you will have no other directions from him about it, but only thereby to be enabled to find the Pulſe of the King or his Miniſters, at leaſt againſt the time that you ſhall receive Orders to make the Propoſitions to him. That you may know from whence the neceſſity of that Affair proceeds, it is neceſſary to inform you, That *for fear of its being ill reſented by the Parliament here*, the King will not make any Propoſal at all of part, unleſs he ſhall be preſt to it by the Confederates: And although, by *Monſieur Godolphin*, he is ſufficiently informed, that they deſire a Peace upon the Articles ſent you by the Secretaries, yet not having received that deſire formally, the Councel will not adviſe his Majeſty to let his Embaſſador propoſe that which he ſent formally impowred to make good; and ſo by ſtaying for that formal Power, which by Lerter his Majeſty is ſufficiently enabled to propoſe, the time will be loſt to effect the Peace, if at all it can be had. To ſupply this defect then, and to prevent the Kings ſending again into *Holland* before he know the mind of *France*, I am Commanded by his Majeſty to let you know, that you are to make the *Propoſitions* incloſed to

the *King* of *France*, and to tell him, the *King* will undertake for the ſeeing them made good on the part of *Spain*, and *Holland*, in caſe they ſhall be accepted by them. *And in your Anſvver you muſt vvrite the ſame thing to the Secretaries by vvay only of having felt the King of* France *his Pulſe, vvhich you muſt do to the King as a full Anſvver from the King of* France, *and ſuch a one as his Majeſty may depend upon vvhatever that ſhall be.* For the more dexterous management of this Affaire, the *King* is adviſed to ſhew this Propoſition to *Monſieur Berriljon*, but not to give him a Coppy, ſo that by the ſtrength of memory it is expected he ſhould write to his Maſter, and by that meanes only are we to hope for an Anſwer to a matter of this vaſt importance and conſequence. You may imagine what ſatisfaction we are like to reape from it when it comes. I doubt not but by your Conduct it will be brought to a ſpeedy iſſue, which is of as great importance as the thing it ſelf, there being no condition worſe for his Majeſty, than his ſtanding unreſolved betwixt Peace and War. I find by *Monſieur Berrilljon*, That it is like ſome places which are dependances upon greater Townes may be demanded by the *K.* of *F.* but if he intend a Peace (which you may do very well to know his mind fully in) you may juſtly ſay, that you hope he will never ſtand upon one ſingle place, tho a Fortified one, nor upon any place unfortified, which are dependants upon thoſe which are to be reſtored to *Spain*. And if any thing ſhall be moved about *Siſcilly* to remain in the *French* hands until the Peace of *Svveden* be concluded. You are only to ſay, that you are not impowred to ſay any thing upon it: And you are confident the *King* had done all he could to get the utmoſt Conditions that would be conſented to: Only you are to ſay, the *King* hath again ſent about Conditions, not being well ſatisfied that they have not left in his power to give or refuſe as he ſhall have found it convenient, and hopeeth ſtill for ſome good Anſwer. In caſe the Conditions of

Peace

Peace ſhall be accepted. ☞ *The King expects to have ſix Millions of Livers yearly, for three years, from the time that this Agreement ſhall be ſigned between his Majeſty and the King of* France : *Becauſe it will be two or three years before he can hope to find his Parliament in humour to give him Supply, after they have made any Peace with* France. *Their Embaſſadors here have agreed to the ſum, but not for ſo long a time.* If you find the Peace will not be accepted, you are not to mention the money at all. And all poſſible care muſt be taken to have this whole Negotiation as private as poſſible, for fear of giving offence at home, which for the moſt part we hear of in ten days after any thing is communicated to the *French Miniſters*. I muſt again repeat to you, that whatſoever you write on this Subject to the Secretaries (*to whom you muſt not write one ſyllable of the money*) you muſt ſay only as a thing you believe they will conſent to if you had power formally to make this demand. Pray you inform your ſelf of the thoughts of what is to be expected from *France*, and be aſſured that you believe this will be the laſt time that you ſhall receive any Propoſition of a Peace if this be ſlighted, as indeed I believe it will, ſo that you may take your own *Meaſures* as well as the Kings upon it. I am

Your Excellencies faithful

and moſt obedient Servant.

March 25. 78.

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are to lay, the King hath again lent about Conditions, not being well satisfied that they have not left in his power to give or refuse as he shall have found it convenient, and hopeeth still for some good Answer. In case the Conditions of

Peace